

**COMMISSION ON COMMON OWNERSHIP COMMUNITIES
COMPLAINT FORM**

CASE NO. _____
(Office use only)

COMPLAINING PARTY (The Party Filing the Complaint)

Complaining Party's Name: _____

Address : _____

Home Phone: _____

Office Phone: _____

Email: _____

Fax: _____

Complaining party's status: (Check one)

___ a unit owner in a condominium

_____ (name of condominium)

___ a lot owner in a homeowner association

_____ (name of HOA)

___ a member of a cooperative housing corporation

_____ (name of cooperative)

___ a governing body

_____ (name of community)

___ an occupant of a dwelling unit in a common ownership community

_____ (name of community)

RESPONDING PARTY (The party against whom the complaint is being filed):

Responding Party's Name: _____

Address: _____

Home Phone: _____

Office Phone: _____

Email: _____

THIS COMPLAINT INVOLVES: (Check as appropriate)

The authority of a governing body, under any law or association document, to:

- ___ require any person to take any action, or not to take any action, involving a unit or a common element
- ___ require any person to pay a fee, fine, or assessment
- ___ spend association funds
- ___ alter or add to a common area or element

The failure of a governing body, when required by law or an association document, to:

- ___ properly conduct an election
- ___ give adequate notice of a meeting or other action
- ___ properly conduct a meeting
- ___ maintain or audit books and records
- ___ allow inspection of books and records
- ___ properly adopt a budget or rule
- ___ maintain or repair the common element if that results in damage to person or property
- ___ exercise its discretion in good faith concerning the enforcement of any rule against any person who is subject to that rule.

DETAILS OF THE COMPLAINT:

Name the condition(s) or event(s) that you believe to be a violation of law or of governing documents. List names, dates, times, places, events and reasons leading to this formal complaint, and state which sections of the law or governing document were

violated. Use additional sheets of paper if necessary.

DESIRED ACTIONS:

State what actions will resolve your complaint (what you want the other party to do).

_____ Complainant requests the return of the \$50.00 filing fee if the Commission resolves this dispute in Complainant's favor after a public hearing.

I do___ do not___ agree to attempt the mediation of this dispute.

PROPER USE OF ASSOCIATION PROCEDURES:

If the complaining party is an Association:

Do your community's governing documents provide a procedure or remedy for resolving a dispute of the kind raised in this complaint and have you followed that procedure? (If yes, attach a copy of the procedure and of the documents used.)

_____ _____
yes no

If your Association has no written procedures for the resolution of this type of dispute, has the Association done the following: a) given the other party written notice of the alleged violation and of the right to a hearing with the board of directors; b) held a hearing with the board of directors if one was requested; and c) given written notice of the board's decision on the dispute together with notice

of the party's right to appeal the decision to the CCOC? (If yes, attach a copy of the notices and other correspondence.)

yes no

If the complaining party is a member or resident:

Does your Association have a written procedure for resolving your dispute, and if so, have you used those procedures and given the Association at least 60 days to resolve your dispute or reject it? (If yes, attach a copy of the correspondence and of the procedures involved.)

yes no

If your Association has no written procedures for resolving this type of dispute, have you given written notice of your dispute to the board of directors and a reasonable time to resolve it? (If yes, attach a copy of the notices and correspondence involved.)

yes no

Dates on which you notified the Association of your dispute: _____

I hereby certify that the statements in this form and in any attached documents are true and complete to the best of my knowledge, information and belief.

Signature

Date

Note: If the Complainant is an association, this must be signed by the president or vice-president of the board of directors. A complete set of the community's governing documents **must** accompany this complaint, and a check for \$50.00 made out to "Montgomery County, MD".

Once this complaint is filed, all communications between either party and the staff will be shared with the other party.